

United States District Court for the Northern District of Illinois
Eastern Division
Case No. 10 C 1349

| | | |
|------------------------------|---|------------------|
| DARREN CUFF, | : | |
| Plaintiff | : | |
| | : | |
| | : | |
| v. | : | |
| | : | Notice of Appeal |
| TRANS STATES HOLDINGS, INC., | : | |
| TRANS STATES AIRLINES, LLC, | : | |
| GOJET AIRLINES, LLC; and | : | |
| ED TROWBRIDGE, | : | |
| Defendants | : | |

Notice is hereby given that Trans States Holdings, Inc., Trans States Airlines, LLC, GoJet Airlines, LLC, and Ed Trowbridge, Defendants in the above-named case, hereby Appeal to the United States Court of Appeals for the Seventh Circuit from the final judgment entered in this action on the 11th day of January, 2013.

Dated: February 4, 2013

Respectfully submitted,

/s/ David J. A. Hayes III
David J. A. Hayes III
Vice-President & General Counsel
Trans States Holdings, Inc.
11495 Navaid Road
St. Louis, MO 63044
314-222-4316 (Office)
314-222-4311 (Fax)
dhayes@transstates.net
Attorney for Defendants-Appellants

CERTIFICATE OF SERVICE

I hereby certify that I have on **February 4, 2013**, served a true and correct copy of the foregoing via electronic filing upon the following:

Alejandro Caffarelli
Bradley Manewith
Caffarelli & Siegel Ltd.
Two Prudential Plaza
180 N. Stetson, Suite 3150
Chicago, IL 60601
Telephone: (312) 540-1230
Facsimile: (312) 540-1231

/s/ David J. A. Hayes III

SEVENTH CIRCUIT COURT OF APPEALS INFORMATION SHEET

Include the names of all plaintiffs (petitioners) and defendants (respondents) who are parties to the appeal. Use a separate sheet if needed.

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION DOCKET NUMBER: 10 cv 1349

PLAINTIFF (Petitioner)

v.

DEFENDANT (Respondent)

| | |
|---------------|--------------------------------------|
| Cuff/appellee | Trans States Holdings, Inc/appellant |
|---------------|--------------------------------------|

(Use separate sheet for additional counsel)

| PETITIONER'S COUNSEL | | RESPONDENT'S COUNSEL | |
|----------------------|---|----------------------|---|
| Name | Alejandro Caffarelli | Name | Leslie E. Cavender |
| Firm | Caffarelli & Siegel Ltd. | Firm | Trans States Holdings, Inc. |
| Address | 180 N. Stetson Suite 3150 Chgo .IL .60601 | Address | 11495 Navaid Rd. Bridgeton, MO 63044 |
| Phone | 312) 540-1230 | Phone | 314-222-4317 |

| Other Information | | | |
|---------------------|------------------|------------------------------|-------------------|
| District Judge | Leinenweber | Date Filed in District Court | 2/26/10 |
| Court Reporter | P. Mullen X-5567 | Date of Judgment | 10/26/12, 1/11/13 |
| Nature of Suit Code | 790 | Date of Notice of Appeal | 2/4/13 |

COUNSEL:

Appointed

☐

Retained

☒

Pro Se

☐

FEE STATUS:

Paid

☒

Due

☐

IFP

☐

IFP Pending

☐

U.S.

☐

Waived

☐

Has Docketing Statement been filed with the District Court Clerk's Office?

Yes

☐

No

☒

If State/Federal Habeas Corpus (28 USC 2254/28 USC 2255), was Certificate of Appealability:

Granted

☐

Denied

☐

Pending

☐

If Certificate of Appealability was granted or denied, date of order:

If defendant is in federal custody, please provide U.S. Marshall number (USM#):

IMPORTANT: THIS FORM IS TO ACCOMPANY THE SHORT RECORD SENT TO THE CLERK OF THE U.S. COURT OF APPEALS PURSUANT TO CIRCUIT RULE 3(A). Rev 04/01

United States District Court, Northern District of Illinois

| | | | |
|---|--|---|------------|
| Name of Assigned Judge or Magistrate Judge | Harry D. Leinenweber | Sitting Judge if Other than Assigned Judge | |
| CASE NUMBER | 10 C 1349 | DATE | 10/26/2012 |
| CASE TITLE | Darren Cuff vs. Trans States Holdings, Inc., <i>et al.</i> | | |

DOCKET ENTRY TEXT

ENTER MEMORANDUM OPINION AND ORDER: The issues of costs and fees having been resolved, the stay of time to appeal is lifted and final judgment is entered. Plaintiff is awarded a total of \$49,546.79.

■ [For further detail see separate order(s).]

Docketing to mail notices.

| | |
|---------------------------------------|-----|
| Courtroom Deputy Initials: | WAP |
|---------------------------------------|-----|

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DARREN CUFF,

Plaintiff,

v.

TRANS STATES HOLDINGS, INC.,
TRANS STATES AIRLINES, GOJET
AIRLINES, LLC, and ED
TROWBRIDGE, Individually,

Defendants.

Case No. 10 C 1349

Hon. Harry D. Leinenweber

MEMORANDUM OPINION AND ORDER

On February 28, 2012, a jury rendered a verdict in favor of Plaintiff in the amount of \$28,800. The Court entered judgment on the same date.

On March 27, 2012, Defendants timely moved for a new trial under Federal Rule of Civil Procedure 59, staying the period in which to file a Notice of Appeal. On the same date, Plaintiff moved for prejudgment interest, liquidated damages and equitable damages.

On May 15, 2012, Plaintiff timely moved under Local Rule 54.3(b) for attorneys' fees and related non-taxable expenses. On May 13, 2012, the Court denied the Defendants' Motion for a New Trial; denied Plaintiff's Motion for Judgment as a Matter of Law on back pay; awarded Plaintiff the sum of \$2,014.71 in interest on the jury verdict amount; denied Plaintiff's Motion for Liquidated

Damages; awarded Plaintiff the sum of \$14,400.00 in front pay; and awarded Plaintiff a reduced Bill of Costs in the amount of \$4,332.08.

On June 28, 2012, on Defendants' Motion, the Court stayed the time for appeal pursuant to Rule 58(e) to resolve the question of attorneys' fees.

On September 24, 2012, the Court issued a tentative ruling on issues surrounding attorneys' fees and encouraged the parties to come to a negotiated resolution on fees.

The Court gave Plaintiff fourteen (14) days to refile his Motion for Attorneys' Fees if a resolution could not be reached. That 14-day period has expired with no new Motion for attorneys' fees. The issues of costs and fees having been resolved, the stay of time to appeal is lifted.

Final Judgment is entered. Plaintiff is awarded a total of \$49,546.79. Pursuant to Federal Rule of Appellate Procedure 4(a)(1)(A), the parties now have thirty (30) days to file a Notice of Appeal of Final Judgment.

IT IS SO ORDERED.

A handwritten signature in cursive script, appearing to read 'Leinenweber', is written above a horizontal line.

Harry D. Leinenweber, Judge
United States District Court

DATE: 10/26/2012

United States District Court, Northern District of Illinois

| | | | |
|---|---|---|-----------|
| Name of Assigned Judge or Magistrate Judge | Harry D. Leinenweber | Sitting Judge if Other than Assigned Judge | |
| CASE NUMBER | 10 C 1349 | DATE | 1/11/2013 |
| CASE TITLE | Darren Cuff vs. Trans States Holding, Inc., <i>et al.</i> | | |

DOCKET ENTRY TEXT

ENTER MEMORANDUM OPINION AND ORDER: Defendants' Motion to Reconsider is denied. Plaintiff's Motion for Attorney's fees is granted in part and denied in part. The Court allows the sum of \$324,170.68 in attorneys' fees. This award is in addition to the damages and costs totaling \$49,546.79 that were awarded in the Court's May 31, 2012 order, for a total award of \$373,717.47. Because the time for appeal has been stayed pending this ruling pursuant to Federal Rule of Civil Procedure 58(e), the resolution of this matter lifts that stay. The parties now have thirty (30) days to file a notice of appeal of final judgment.

■ [For further detail see separate order(s).]

Docketing to mail notices.

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|-------------------------------|-----|
| Courtroom Deputy Initials: | WAP |
|-------------------------------|-----|

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DARREN CUFF,

Plaintiff,

v.

TRANS STATES HOLDINGS, INC.,
TRANS STATES AIRLINES, GOJET
AIRLINES, LLC, and ED
TROWBRIDGE, Individually,

Defendants.

Case No. 10 C 1349

Hon. Harry D. Leinenweber

MEMORANDUM OPINION AND ORDER

Before the Court is Plaintiff's Revised Motion for Attorney's Fees. For the reasons stated herein, the Motion is granted in part and denied in part. The Court awards the sum of \$324,170.68 in attorneys' fees. Defendants also urge the Court to reconsider its earlier ruling of September 24, 2012. That request is construed as a motion for reconsideration and is denied.

I. BACKGROUND

The Court presumes familiarity with its ruling of September 24, 2012 and recites background primarily as to the procedural history of motions for costs and fees. On September 24, 2012, this Court issued an initial ruling regarding the parties' initial submissions regarding attorneys' fees in this Family and Medical Leave Act case. The Court resolved several issues between the parties, ruling that it would not reduce Plaintiff's fees based

on degree of success, results obtained, proportionality or the Plaintiff's contingency fee arrangement. *Cuff v. Trans States Holdings, Inc., et al.*, No 10 C 1349, at 4 (N.D. Ill. Sept. 24, 2012).

The Court also agreed with Defendants that certain specific itemizations seemed patently unreasonable and reduced the hours billed accordingly. The Court ruled that 53.5 hours on two motions to compel was excessive and reduced the amount to 24 hours. The Court ordered a reduction of 20 percent of the hours billed for trial preparation, and it disallowed all mock trial expenses and attorneys' fees associated with them.

Aside from these few specific objections, however, Defendants argued that Plaintiff's billing itemizations had been so heavily redacted under the guise of "privilege" as to interfere with Defendants' ability to object to the reasonableness of certain billings. The Court agreed and ordered the Plaintiff to revise his itemizations, eliminating redactions where possible and, where impossible, to submit an unredacted copy to chambers for evaluation. However, the Court noted that, should Defendants object again to specific itemizations, they must provide Plaintiff with their own itemizations as provided for in Local Rule 54.3.

Plaintiff provided a revised billing itemization and Defendants, once again, object.

II. LEGAL STANDARD

The Court incorporates by reference the legal standard of its September 24, 2012 order.

III. ANALYSIS

A. Motion to Reconsider

In their latest brief, Defendants "urge this Court to reconsider based upon the fact that awarding Plaintiff's counsel even the 'reduced' fees sought would result in [an] award over 7 times the amount of Plaintiff's recovery." Defs.' Br., at 2, ECF No. 175.

Reconsideration is appropriate in limited circumstances, such as where (1) the court has patently misunderstood a party; (2) the court has made a decision outside the adversarial issues presented to the court by the parties; (3) the court has made an error not of reasoning but of apprehension; (4) there has been a controlling or significant change in law; or (5) there has been a controlling or significant change in the facts. *Citadel Group Ltd. v. Wash. Reg'l Med. Ctr.*, No. 07-1394, 2011 U.S. Dist. LEXIS 50894, at *5 (N.D. Ill. May 12, 2011). Reconsideration is not an appropriate forum for rehashing previously rejected arguments. *Caisse Nationale De Credit Agricole v. CBI Indus.*, 90 F.3d 1264, 1270 (7th Cir. 1996).

Here, Defendants identify no grounds for reconsideration. Rather, they simply restate their argument that the attorneys' fees are so disproportional to the amount awarded that they must be

unreasonable. The Court has already addressed this argument and dismissed it. While the Court acknowledged that such disparity requires "increased reflection" by the Court, it also noted that the Seventh Circuit has "rejected the notion that the fees must be calculated proportionally to damages" when there is a statutory fee shifting provision. *Anderson v. AB Painting & Sandblasting, Inc.*, 578 F.3d 542, 546 (7th Cir. 2009). Defendants also rehash their "degree of success" argument already made and rejected. Simply put, Defendants have not cited any basis cited in *Citadel* that would merit reconsideration. The Motion to Reconsider is denied.

B. Defendants' Objections

Plaintiff's initial motion for attorney's fees sought \$366,218.55. Based on the Court's reductions of September 24, 2012, Defendants objections to Plaintiff's new itemization and unilateral reductions by Plaintiff, Plaintiff now seeks \$340,876.52. Defendants still object and seek a 50 percent reduction in fees.

Defendants cite a number of cases in support of this across-the-board reduction: *Tauber v. City of Chicago*, 33 F.Supp.2d 699, 701 (N.D. Ill. 1999); *LaSalvia v. City of Evanston*, 2012 U.S. Dist. LEXIS 89434 (N.D. Ill. June 28, 2012); *DeCola v. Keel*, 2010 U.S. Dist. LEXIS 133105 (N.D. Ill. Dec. 16, 2010). All of these cases, however, granted reductions based on degree of success. Again, this Court has already ruled on that topic and determined that such

a reduction was not applicable under *Jaffee v. Redmond*, 142 F.3d 409, 414 (7th Cir. 1998).

Defendants do not object that any attorney or paralegal's billing rate is unreasonable. Thus, the only objections left for the Court to consider are the objections to specific itemizations that would reduce the total number of hours billed. Plaintiff argues that Defendants have waived any specific objections because they have not provided complete billing records of their own as required by Local Rule 54.3. Defendants respond that they have provided Plaintiffs with bills submitted by outside counsel and that records for the remainder of the hours expended in defense of this case were performed in-house and no additional hourly tracking records exist. The wording of Local Rule 54.3 seems to make some allowance for this. It requires "the respondent . . . [to] furnish . . . (A) the time and work records (*if such records have been kept*) of respondent's counsel . . ." L.R. 54.3(d)(5)(A) (emphasis added). The purpose of the rule is to prevent hypocritical objections (*see Farfaras v. Citizens bank & Trust of Chicago*, 433 F.3d 558, 569 (7th Cir. 2006)), not to force a defendant to engage in meaningless record-keeping. While it would be wise for a defendant's in-house counsel to record the time and nature of activities spent in defense of a lawsuit, the entire point of performing work in-house is to save the client money. As these tedious billing motions amply indicate, tracking and proving

expenditures itself takes significant time and resources. While Defendants' paucity of itemization counts against them, the Court will not say they made a blanket waiver in this regard. See *Gibson v. City of Chicago*, 873 F.Supp.2d 975 (N.D. Ill. 2012) (agreeing that defendant's failure to provide billing statements placed them at a "disadvantage" in making objections, but nonetheless finding some of plaintiff's itemizations excessive); see also *Entm't Software Ass'n v. Blagojevich*, 2006 U.S. Dist. LEXIS 93638, at *27 n.4 (N.D. Ill. Aug. 9, 2006) (noting "defendants had virtually no chance of obtaining attorney's fees had they won the case and thus there was no reason for them to keep records any more detailed than their clients might have wanted or needed").

However, the Court does find merit in Plaintiff's argument that Defendants have violated the spirit of Local Rule 54.3 by submitting to Plaintiff billing statements that are so heavily redacted as to be meaningless. It is astounding that Defendants, after successfully arguing that Plaintiff's itemizations were too heavily redacted to be of any use, would turn around and submit similarly excessively redacted itemizations of their own. This is indeed the very type of hypocritical objection sought to be prevented by Local Rule 54.3. Therefore, the Court considers any objections based on vague itemization statements waived and will only address those objections that demonstrate clearly excessive or redundant billing.

Defendants have made 117 specific objections to Plaintiff's billing. The Court has read and considered each and every one of them. The Court finds 10 allege vagueness in billings which, as already discussed, the Court deems waived by Defendant. Another 19 objections have been addressed through reductions by Plaintiff.

The Court finds merit in the following objections and finds a chart the most efficient manner of explaining and reducing such billed hours. Some rows encompass multiple specific objections by Defendants.

| Bill Date(s) | Staff | Time Spent | Defs.' Objection | Reduced to | Court's Rationale |
|-------------------------|-------|-------------------|---|----------------|--|
| 1/27/12 1/30/12 | AC | 5.5 hrs | Excessive, delegable to junior attorney | 2.0 hrs | Routine task of jury instructions could have been delegated to associate. See <i>Smith v. Richard Wolf Med. Instruments</i> , 264 F.3d 702, 708 (7th Cir. 2001). |
| 2/2/2012- 2/10/2012 | AC | 24.25 hrs | Excessive | 19.5 hrs (80%) | Per Court's 9/24/12 order, trial preparation activities were to be reduced by 20%. Pre-trial order, motions in limine, fall in that category. |
| 2/13/12, 2/16/12 | AC | 13 hrs | Excessive | 9 hrs (80%) | Same as above |
| N/A | AC | 25 hrs (estimate) | Not documented | 0 hrs | Plaintiff has not adequately explained why he estimated rather than recorded exact hours spent on post-trial motions and fee petitions; Additionally such activities were duplicatively billed on 3/1/12, 3/14/12 & 3/20/12. |
| 1/6/11, 1/7/11 | BM | 1.25 hrs | Excessive | .25 hrs | Agree with Defendants that time to revise a one-page medical release form is excessive in light of the 1.25 hours spent on it on 12/15/10 |
| 12/5/2011- 12/6/2011 | BM | 9 hrs | Excessive, duplicative | 2 hrs | Agree with Defendants that 9 hours to draft a settlement demand |

| Bill Date(s) | Staff | Time Spent | Defs.' Objection | Reduced to | Court's Rationale |
|-----------------|-------|------------|---------------------------------|--------------|--|
| | | | | | letter is unreasonable, particularly in light of the 2 hours AC spent on same task. |
| 1/4/12 | BM | .75 hr | Excessive, duplicative | .6 hr (80%) | Per Court's 9/24/12 order, trial preparation activities were to be reduced by 20%. Pre-trial order, motions in limine, fall in that category. |
| 1/26/12-2/13/12 | BM | 13.75 hrs | Excessive, duplicative | 11 hrs (80%) | Same as above. |
| 2/7/12 | BM | 1 hr | Excessive, duplicative | .8 hr (80%) | Same as above. |
| 2/22/12 | JGZ | 1.25 hrs | Excessive | 1 hr | Meeting length excessive. <i>See Gibson v. City of Chicago</i> , 873 F. Supp. 2d 975 (N.D. Ill. 2012) (noting "internal meetings are not always the model of efficiency"). |
| 2/27/12 | JGZ | .75 hr | Courier not billable | .25 hr | Court agrees that the delivery portion of "prepare and deliver" documents is non-billable as something delegable to non-professional staff. |
| 2/28/12 | MC | 3 hrs | Disallowed mock jury activities | 0 hr | Agree with Defendants that staffer's serving as jury is not trial prep but mock jury activity, which was disallowed by 9/24/12 order. |

Calculating in each of the individual attorneys and paralegal's rates, these disallowed hours result in a further reduction of \$18,196 to \$322,680.52. Adding in Plaintiff's legal research fees of \$1,490.16 (see Order of June 1, 2012), the Court allows \$324,170.68 in attorneys' fees.

The Court finds the remainder of Defendants' objections unfounded, and will not go into excruciating detail for each and every one, but merely offers a sample of unwarranted objections. For example, Defendants argue that thirty-three hours for the

taking of three Rule 30(b)(6) depositions, a site inspection and related travel to St. Louis from Chicago is excessive when those depositions "lasted a total of X hours combined." ECF No. 173-1, PageID # 3646. Clearly, without knowing how long "X" is, the Court cannot gauge whether that is, in fact, excessive, particularly when "Rule 30(b)(6) witness[es] often require[] additional preparation" and travel. *Nieman v. Grange Mut. Ins. Co.*, 2012 U.S. Dist. LEXIS 160753, at *5 (N.D. Ill. Nov. 9, 2012). Additionally, Plaintiff's entries indicate some of that time was spent in preparation, presumably while also traveling, meaning Plaintiff's attorney was likely not just twiddling his thumbs on the plane. In any case, "[s]tatutes authorizing compensation for attorneys' fees . . . permit compensation for travel time." *In re Maurice*, 69 F.3d 830, 834 (7th Cir. 1995).

As another example, Defendant's object that attorney Alejandro Caffarelli, a partner in his firm, should not have billed three hours on April 5, 2011 to "review and revise" a motion for summary judgment when Caffarelli's own itemizations indicate he did not begin to "draft" such a motion until April 7, 2011. However, this objection ignores that Caffarelli's associate, Bradley S. Manewith, drafted such a motion over several days beginning March 31 through April 4, 2011, and that this is likely what Caffarelli was revising. That Caffarelli later did more work on the motion on April 7, 2011 and called it "drafting" is inconsequential.

Nor does the Court find excessive Caffarelli's expenditure of 15.25 hours from April 5-7, 2011 and his associate's expenditure of 44.75 hours on tasks connected to the motion for summary judgment (including reviewing evidence, researching law, and drafting and revising the motion and Local Rule 56.1 statement). Compared to these 60 hours on the motion for summary judgment, the 95.5 combined hours these two attorneys spent on activities related to responding to the cross-motion for summary judgment becomes questionable, but the Court cannot say it is excessive when it has no idea how many hours Defendants expended.

In another series of objections, Defendants argue Plaintiff did not obey this Court's September 24, 2012 order reducing the number of hours revising two motions to compel to five hours. Yet by the Court's accounting, this time *has* been revised and now amounts to 4.99 hours between the two attorneys, which is in compliance with the 5 hour maximum the Court set in its previous order.

Finally, the Court cannot find billing entries "duplicative" merely because an attorney works on the same subject matter on separate days. This alone eliminates a great number of Defendants' objections.

IV. CONCLUSION

For the reasons stated herein, the Defendants' Motion to Reconsider is denied. Plaintiff's Motion for Attorney's fees is

granted in part and denied in part. The Court allows the sum of \$324,170.68 in attorneys' fees. This award is in addition to the damages and costs totaling \$49,546.79 that were awarded in the Court's May 31, 2012 order, for a total award of \$373,717.47.

Because the time for appeal has been stayed pending this ruling pursuant to Federal Rule of Civil Procedure 58(e), the resolution of this matter lifts that stay. The parties now have thirty (30) days to file a notice of appeal of final judgment.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Leinenweber', is written above a horizontal line.

Harry D. Leinenweber, Judge
United States District Court

DATE:1/11/2013



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APPEAL,COLE,PROTO,TERMED

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 5.1.1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:10-cv-01349
Internal Use Only

Cuff v. Trans States Holdings, Inc. et al
Assigned to: Honorable Harry D. Leinenweber
Cause: 29:1145 E.R.I.S.A.

Date Filed: 02/26/2010
Date Terminated: 02/28/2012
Jury Demand: Plaintiff
Nature of Suit: 790 Labor: Other
Jurisdiction: Federal Question

Plaintiff**Darren Cuff**

represented by **Alejandro Caffarelli**
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ATTORNEY TO BE NOTICED

V.

Defendant

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ATTORNEY TO BE NOTICED

Defendant

Trans States Airlines

represented by **David J.A. Hayes , III**
(See above for address)
LEAD ATTORNEY

Christine Marie Niemczyk
(See above for address)
ATTORNEY TO BE NOTICED

Leslie Ellen Cavender
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

GoJet Airlines

represented by **David J.A. Hayes , III**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine Marie Niemczyk
(See above for address)

*ATTORNEY TO BE NOTICED***Leslie Ellen Cavender**

(See above for address)

*ATTORNEY TO BE NOTICED***Defendant****Ed Trowbridge***individually*represented by **David J.A. Hayes , III**

(See above for address)

*LEAD ATTORNEY***Christine Marie Niemczyk**

(See above for address)

*ATTORNEY TO BE NOTICED***Leslie Ellen Cavender**

(See above for address)

ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|--------------------|--|
| 02/26/2010 | 1 | COMPLAINT filed by Darren Cuff; Jury Demand. Filing fee \$ 350, receipt number 0752-4568737.(Caffarelli, Alejandro) (Entered: 02/26/2010) |
| 02/26/2010 | 2 | CIVIL Cover Sheet (Caffarelli, Alejandro) (Entered: 02/26/2010) |
| 02/26/2010 | 3 | ATTORNEY Appearance for Plaintiff Darren Cuff by Alejandro Caffarelli (Caffarelli, Alejandro) (Entered: 02/26/2010) |
| 02/26/2010 | 4 | ATTORNEY Appearance for Plaintiff Darren Cuff by Bradley S Manewith (Manewith, Bradley) (Entered: 02/26/2010) |
| 02/26/2010 | | CASE ASSIGNED to the Honorable Harry D. Leinenweber. Designated as Magistrate Judge the Honorable Jeffrey Cole. (emd,) (Entered: 02/26/2010) |
| 03/01/2010 | | SUMMONS Issued as to Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge. (lcw,) (Entered: 03/01/2010) |
| 03/19/2010 | 5 | SUMMONS Returned Executed by Darren Cuff as to GoJet Airlines on 3/5/2010, answer due 3/26/2010. (Caffarelli, Alejandro) (Entered: 03/19/2010) |
| 03/19/2010 | 6 | SUMMONS Returned Executed by Darren Cuff as to Ed Trowbridge on 3/8/2010, answer due 3/29/2010. (Caffarelli, Alejandro) (Entered: 03/19/2010) |
| 03/19/2010 | 7 | SUMMONS Returned Executed by Darren Cuff as to Trans States Airlines on 3/5/2010, answer due 3/26/2010. (Caffarelli, Alejandro) (Entered: 03/19/2010) |
| 03/19/2010 | 8 | SUMMONS Returned Executed by Darren Cuff as to Trans States Holdings, Inc. on 3/5/2010, answer due 3/26/2010. (Caffarelli, Alejandro) (Entered: 03/19/2010) |
| 03/26/2010 | 9 | NOTICE by David J.A. Hayes, III of Change of Address (Hayes, David) (Entered: 03/26/2010) |
| 03/26/2010 | 10 | ATTORNEY Appearance for Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge by David J.A. Hayes, III (Hayes, David) (Entered: 03/26/2010) |
| | | |


| | | |
|------------|--------------------|---|
| 03/26/2010 | 11 | ANSWER to Complaint by Trans States Airlines, Ed Trowbridge(Hayes, David) (Entered: 03/26/2010) |
| 03/26/2010 | 12 | MOTION by Defendant GoJet Airlines to dismiss (Hayes, David) (Entered: 03/26/2010) |
| 03/26/2010 | 13 | MOTION by Defendant Trans States Holdings, Inc. to dismiss for lack of jurisdiction (Hayes, David) (Entered: 03/26/2010) |
| 03/26/2010 | 14 | MEMORANDUM by Trans States Holdings, Inc. in support of motion to dismiss/lack of jurisdiction 13 (Attachments: # 1 Affidavit Wigmore Affidavit)(Hayes, David) (Entered: 03/26/2010) |
| 04/21/2010 | 15 | NOTICE of Motion by David J.A. Hayes, III for presentment of motion to dismiss/lack of jurisdiction 13 , motion to dismiss 12 before Honorable Harry D. Leinenweber on 5/19/2010 at 09:30 AM. (Hayes, David) (Entered: 04/21/2010) |
| 05/19/2010 | 16 | RESPONSE by Darren Cuff to MOTION by Defendant Trans States Holdings, Inc. to dismiss for lack of jurisdiction 13 (Attachments: # 1 Exhibit A-I, # 2 Exhibit J-Q)(Manewith, Bradley) (Entered: 05/19/2010) |
| 05/19/2010 | 17 | RESPONSE by Darren Cuff to MOTION by Defendant GoJet Airlines to dismiss 12 (Attachments: # 1 Exhibit A-C, # 2 Exhibit D-F)(Manewith, Bradley) (Entered: 05/19/2010) |
| 05/19/2010 | 18 | MINUTE entry before Honorable Harry D. Leinenweber:Plaintiff's response to the motions to dismiss to be filed by 5/19/2010. Defendants' reply briefs to be filed by 5/26/2010. The Court will rule orally on 6/29/2010 at 09:00 AM. Mailed notice (wp,) (Entered: 05/20/2010) |
| 05/26/2010 | 19 | REPLY by GoJet Airlines to response to motion 17 , MOTION by Defendant GoJet Airlines to dismiss 12 (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Hayes, David) (Entered: 05/26/2010) |
| 05/26/2010 | 20 | REPLY by Trans States Holdings, Inc. to memorandum in support of motion 14 , MOTION by Defendant Trans States Holdings, Inc. to dismiss for lack of jurisdiction 13 , response to motion 16 (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D)(Hayes, David) (Entered: 05/26/2010) |
| 06/01/2010 | 21 | MOTION by Plaintiff Darren Cuff to strike reply to response to motion 19 (Attachments: # 1 Exhibit A)(Manewith, Bradley) (Entered: 06/01/2010) |
| 06/01/2010 | 22 | MOTION by Plaintiff Darren Cuff to strike reply to response to motion, 20 (Attachments: # 1 Exhibit A)(Manewith, Bradley) (Entered: 06/01/2010) |
| 06/01/2010 | 23 | NOTICE of Motion by Bradley S Manewith for presentment of motion to strike 22 (Manewith, Bradley) (Entered: 06/01/2010) |
| 06/01/2010 | 24 | NOTICE of Motion by Bradley S Manewith for presentment of motion to strike, motion for relief 21 before Honorable Harry D. Leinenweber on 6/3/2010 at 09:30 AM. (Duplicate filing of entry no 21) (Manewith, Bradley) Modified on 6/2/2010 (ea,). (Entered: 06/01/2010) |
| 06/01/2010 | 25 | NOTICE of Motion by Bradley S Manewith for presentment of motion to strike, motion for relief 22 before Honorable Harry D. Leinenweber on 6/3/2010 at 09:30 AM. (Duplicate filing of entry no 22) (Manewith, Bradley) Modified on 6/2/2010 (ea,). (Entered: 06/01/2010) |
| 06/02/2010 | 26 | NOTICE of Motion by Bradley S Manewith for presentment of motion to strike, |

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| | | motion for relief 21 before Honorable Harry D. Leinenweber on 6/3/2010 at 09:30 AM. (Manewith, Bradley) (Entered: 06/02/2010) |
| 06/02/2010 | 27 | NOTICE of Correction regarding 23 (ea,) (Entered: 06/02/2010) |
| 06/02/2010 | 28 | NOTICE of Correction regarding document 24 and 25 . (ea,) (Entered: 06/02/2010) |
| 06/02/2010 | 29 | MOTION by Defendant Trans States Holdings, Inc. to continue <i>hearing scheduled for 6/3/10</i> (Hayes, David) (Entered: 06/02/2010) |
| 06/02/2010 | 30 | MOTION by Defendant GoJet Airlines to continue <i>hearing scheduled for 6/3/10</i> (Hayes, David) (Entered: 06/02/2010) |
| 06/03/2010 | 32 | MINUTE entry before Honorable Harry D. Leinenweber:The Court will consider Plaintiff's Motion to Strike when ruling on 6/29/2010. Mailed notice (wp,) (Entered: 06/08/2010) |
| 06/04/2010 | 31 | ATTORNEY Appearance for Plaintiff Darren Cuff by Marc J. Siegel (Siegel, Marc) (Entered: 06/04/2010) |
| 06/16/2010 | 33 | MINUTE entry before Honorable Harry D. Leinenweber:The oral ruling date set for 6/29/2010 is stricken. The Court will rule by mail on the motion to dismiss and the motions to strike.Mailed notice (wp,) (Entered: 06/16/2010) |
| 07/08/2010 | 34 | MINUTE entry before Honorable Harry D. Leinenweber:ENTER MEMORANDUM OPINION AND ORDER: Defendant Trans States Holdings, Inc.'s Motion to Dismiss 13 is Denied. Defendant GoJet's Motion to Dismiss 12 is Denied. Plaintiff's Motion to Strike Defendant Trans States Holding, Inc.'s Reply 22 is Denied. Plaintiff's Motion to Strike Defendant GoJet's Reply 21 is Denied. Status hearing set for 8/25/2010 at 09:00 AM.Mailed notice (wp,) (Entered: 07/08/2010) |
| 07/08/2010 | 35 | MEMORANDUM Opinion and Order Signed by the Honorable Harry D. Leinenweber on 7/8/2010:Mailed notice(wp,) (Entered: 07/08/2010) |
| 07/19/2010 | 36 | MINUTE entry before Honorable Harry D. Leinenweber: Settlement Conference set for 8/10/2010 at 10:00 AM.Mailed notice (wp,) (Entered: 07/19/2010) |
| 07/20/2010 | 37 | MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge to continue <i>Status Hearing</i> (Hayes, David) (Entered: 07/20/2010) |
| 07/22/2010 | 38 | MINUTE entry before Honorable Harry D. Leinenweber:Defendants' Motion to continue 37 is granted. Status hearing reset for 9/8/2010 at 09:00 AM.Mailed notice (wp,) Modified on 8/13/2010 (wp,). (Entered: 07/22/2010) |
| 07/29/2010 | 39 | ANSWER to Complaint by Trans States Holdings, Inc.(Hayes, David) (Entered: 07/29/2010) |
| 07/29/2010 | 40 | ANSWER to Complaint by GoJet Airlines(Hayes, David) (Entered: 07/29/2010) |
| 08/10/2010 | 41 | MINUTE entry before Honorable Harry D. Leinenweber:Settlement conference held on 8/10/2010.Mailed notice (wp,) (Entered: 08/11/2010) |
| 09/08/2010 | 42 | MINUTE entry before Honorable Harry D. Leinenweber:Status hearing held on 9/8/2010. Discovery ordered closed by 12/31/2010. Status hearing set for 1/6/2011 at 9:00 AM.Mailed notice (tlp,) (Entered: 09/17/2010) |
| 10/28/2010 | 43 | MOTION by Plaintiff Darren Cuff to compel (Attachments: # 1 Exhibit A to J, # 2 Exhibit K to T)(Caffarelli, Alejandro) (Entered: 10/28/2010) |
| 10/28/2010 | 44 | NOTICE of Motion by Alejandro Caffarelli for presentment of motion to compel 43 before Honorable Harry D. Leinenweber on 11/2/2010 at 09:30 AM. (Caffarelli, |

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| | | Alejandro) (Entered: 10/28/2010) |
| 10/29/2010 | 45 | MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc. to continue (Attachments: # 1 Exhibit A)(Hayes, David) (Entered: 10/29/2010) |
| 11/01/2010 | 46 | RESPONSE by Darren Cuff to MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc. to continue 45 (Attachments: # 1 Exhibit A-C)(Caffarelli, Alejandro) (Entered: 11/01/2010) |
| 11/02/2010 | 52 | MINUTE entry before Honorable Harry D. Leinenweber:Defendant's Motion to continue is granted to 11/9/2010 at 9:00 a.m. Plaintiff's Motion to compel is entered and continued to 11/9/2010 at 9:00 a.m. Mailed notice (wp,) (Entered: 11/08/2010) |
| 11/04/2010 | 56 | MINUTE entry before Honorable Harry D. Leinenweber:Under the conditions set forth in open court, Plaintiff's Motion to compel 43 is granted, subject to a protective order.Plaintiff's Second Motion to compel 50 is entered and continued to 11/18/2010 at 9:00 a.m. Status hearing held on 11/4/2010. Mailed notice (wp,) (Entered: 11/10/2010) |
| 11/05/2010 | 47 | MOTION by Defendant Trans States Airlines to compel Plaintiff's response to requests for production Nos. 5,8,17 and 18. (Hayes, David) Text modified on 11/8/2010 (tlm). (Entered: 11/05/2010) |
| 11/05/2010 | 48 | Memorandum in Support of Motion to Compel by Trans States Airlines (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Hayes, David) (Entered: 11/05/2010) |
| 11/05/2010 | 49 | NOTICE of Motion by David J.A. Hayes, III for presentment of motion to compel 47 before Honorable Harry D. Leinenweber on 11/18/2010 at 09:30 AM. (Hayes, David) (Entered: 11/05/2010) |
| 11/05/2010 | 50 | MOTION by Plaintiff Darren Cuff to compel a deposition (Attachments: # 1 Exhibit A to H)(Caffarelli, Alejandro) Text modified on 11/8/2010 (tlm). (Entered: 11/05/2010) |
| 11/05/2010 | 51 | NOTICE of Motion by Alejandro Caffarelli for presentment of motion to compel 50 before Honorable Harry D. Leinenweber on 11/9/2010 at 09:30 AM. (Caffarelli, Alejandro) (Entered: 11/05/2010) |
| 11/08/2010 | 53 | RESPONSE by Darren Cuff to MOTION by Defendant Trans States Airlines to compel 47 (Attachments: # 1 Exhibit A-D)(Caffarelli, Alejandro) (Entered: 11/08/2010) |
| 11/08/2010 | 54 | RESPONSE by Trans States Airlinesin Opposition to MOTION by Plaintiff Darren Cuff to compel 50 (Attachments: # 1 Exhibit)(Hayes, David) (Entered: 11/08/2010) |
| 11/08/2010 | 55 | MEMORANDUM by Trans States Airlines in Opposition to motion to compel 43 (Attachments: # 1 Exhibit Ex A, # 2 Exhibit Ex B, # 3 Exhibit Ex C, # 4 Exhibit Ex D, # 5 Exhibit)(Hayes, David) (Entered: 11/08/2010) |
| 11/18/2010 | 57 | MINUTE entry before Honorable Harry D. Leinenweber:Status hearing held. As stated in open court, Defendant's Motion to Compel 47 is granted and the medical records are to be disclosed subject to a protective order. Plaintiff withdrew his Second Motion to Compel 50 . Mailed notice (wp,) (Entered: 11/19/2010) |
| 12/27/2010 | 58 | MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge for extension of time to complete discovery (Hayes, David) (Entered: 12/27/2010) |
| 12/27/2010 | 59 | NOTICE of Motion by David J.A. Hayes, III for presentment of motion for extension of time to complete discovery 58 before Honorable Harry D. Leinenweber on 1/6/2011 |

at 09:30 AM. (Hayes, David) (Entered: 12/27/2010)

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| 01/05/2011 | 60 | RESPONSE by Darren Cuffin Opposition to MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge for extension of time to complete discovery 58 (Attachments: # 1 Exhibit A to B)(Caffarelli, Alejandro) (Entered: 01/05/2011) |
| 01/06/2011 | 61 | MINUTE entry before Honorable Harry D. Leinenweber:Defendants' Motion for extension of time to 2/28/2011 in which to complete discovery 58 is granted. Status hearing reset for 3/8/2011 at 09:00 AM.Plaintiff's mother to be produced for deposition.Mailed notice (wp,) (Entered: 01/14/2011) |
| 02/22/2011 | 62 | MOTION by Plaintiff Darren Cuff to compel <i>copies of documents obtained from third parties by Defendants</i> (Attachments: # 1 Exhibit A-F)(Manewith, Bradley) (Entered: 02/22/2011) |
| 02/22/2011 | 63 | NOTICE of Motion by Bradley S Manewith for presentment of motion to compel 62 before Honorable Harry D. Leinenweber on 2/24/2011 at 09:30 AM. (Manewith, Bradley) (Entered: 02/22/2011) |
| 02/22/2011 | 64 | MOTION by Plaintiff Darren Cuff for protective order (Attachments: # 1 Exhibit Stipulated Protective Order)(Manewith, Bradley) (Entered: 02/22/2011) |
| 02/22/2011 | 65 | NOTICE of Motion by Bradley S Manewith for presentment of motion for protective order 64 before Honorable Harry D. Leinenweber on 2/24/2011 at 09:30 AM. (Manewith, Bradley) (Entered: 02/22/2011) |
| 02/24/2011 | 67 | MINUTE entry before Honorable Harry D. Leinenweber: Plaintiff's motion for entry of Stipulated Protective Order 64 is granted. Plaintiff's motion to compel 62 is granted. Mailed notice (tlm) (Entered: 03/09/2011) |
| 02/24/2011 | 68 | PROTECTIVE Order signed by the Honorable Harry D. Leinenweber on 2/24/2011. Mailed notice (tlm) (Entered: 03/09/2011) |
| 03/08/2011 | 66 | MINUTE entry before Honorable Harry D. Leinenweber:Status hearing held. Cross motions for summary judgment and supporting memoranda are to be filed by 4/8/2011. Responses are to be filed by 5/6/2011. Replies are to be filed by 5/13/2011. Ruling on the motions is set 6/14/2011 at 09:00 AM. Mailed notice (jms,) (Entered: 03/09/2011) |
| 03/25/2011 | 69 | MINUTE entry before Honorable Harry D. Leinenweber:Defendant Trans State Holdings, Inc.'s 29 and Defendant GoJet Airlines's 30 motions to continue hearing scheduled for 6/3/2010 are denied as moot.Mailed notice (wp,) (Entered: 03/25/2011) |
| 04/05/2011 | 70 | MOTION by Defendants Trans States Airlines, Ed Trowbridge for leave to file <i>Amended Answer and Affirmative Defenses</i> (Attachments: # 1 Exhibit A - Answer and Affirmative Defenses, # 2 Exhibit B - Amended Answer and Affirmative Defenses)(Hayes, David) (Entered: 04/05/2011) |
| 04/05/2011 | 71 | NOTICE of Motion by David J.A. Hayes, III for presentment of motion for leave to file, 70 before Honorable Harry D. Leinenweber on 5/3/2011 at 09:30 AM. (Hayes, David) (Entered: 04/05/2011) |
| 04/05/2011 | 72 | MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge for leave to file excess pages (Hayes, David) (Entered: 04/05/2011) |
| 04/05/2011 | 73 | NOTICE of Motion by David J.A. Hayes, III for presentment of motion for leave to file excess pages 72 before Honorable Harry D. Leinenweber on 5/3/2011 at 09:30 AM. (Hayes, David) (Entered: 04/05/2011) |


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| 04/08/2011 | 74 | MOTION by Plaintiff Darren Cuff for summary judgment (Manewith, Bradley) (Entered: 04/08/2011) |
| 04/08/2011 | 75 | MEMORANDUM by Darren Cuff in support of motion for summary judgment 74 (Attachments: # 1 Index of Unreported Cases, # 2 Exhibit 1-7 (Unreported Cases))(Manewith, Bradley) (Entered: 04/08/2011) |
| 04/08/2011 |  76 | RULE 56.1(a)(3) Statement by Darren Cuff regarding motion for summary judgment 74 (Attachments: # 1 Index of Exhibits, # 2 Exhibit A-G, # 3 Exhibit H-J, # 4 Exhibit K-N, # 5 Exhibit O, # 6 Exhibit P, # 7 Exhibit Q-DD)(Manewith, Bradley) (Entered: 04/08/2011) |
| 04/08/2011 | 77 | RESPONSE by Darren Cuff to MOTION by Defendants Trans States Airlines, Ed Trowbridge for leave to file <i>Amended Answer and Affirmative Defenses</i> 70 (Attachments: # 1 Exhibit A-C)(Caffarelli, Alejandro) (Entered: 04/08/2011) |
| 04/08/2011 | 78 | RESPONSE by Darren Cuff to MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge for leave to file excess pages 72 (Attachments: # 1 Exhibit A)(Caffarelli, Alejandro) (Entered: 04/08/2011) |
| 04/08/2011 | 79 | MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge for summary judgment (Hayes, David) (Entered: 04/08/2011) |
| 04/08/2011 | 80 | SEALED DOCUMENT by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P)(Hayes, David) (Entered: 04/08/2011) |
| 04/08/2011 | 81 | SEALED DOCUMENT by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10)(Hayes, David) (Entered: 04/08/2011) |
| 04/11/2011 | 82 | EXHIBIT H by Plaintiff Darren Cuff to Plaintiff's Rule 56.1(b)(3) Statement 76 . (tlm) (Document Not Imaged) (Entered: 04/13/2011) |
| 04/11/2011 | 83 | NOTICE by Darren Cuff of Exhibit "H" to Plaintiff's Rule 56.1(A)(3) Statement of Material Facts. 82 (tlm) (Entered: 04/13/2011) |
| 04/11/2011 | 84 | EXHIBIT "N" by Plaintiff Darren Cuff to Plaintiff's Rule 56.1(A)(3) Statement of Material Facts; Notice. 76 (RESTRICTED)(tlm) (Entered: 04/13/2011) |
| 04/19/2011 | 85 | MOTION by Plaintiff Darren Cuff to strike MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge for summary judgment 79 (Attachments: # 1 Exhibit A-E)(Manewith, Bradley) (Entered: 04/19/2011) |
| 04/19/2011 | 86 | SEALED MOTION by Plaintiff Darren Cuff to <i>Strike Gerald Wigmore's Affidavit and Other Material</i> (Attachments: # 1 Exhibit A to F, # 2 Exhibit G to M)(Manewith, Bradley) (Entered: 04/19/2011) |
| 04/19/2011 | 87 | NOTICE of Motion by Bradley S Manewith for presentment of motion to strike, motion for relief 85 before Honorable Harry D. Leinenweber on 4/26/2011 at 09:30 AM. (Manewith, Bradley) (Entered: 04/19/2011) |
| 04/19/2011 | 88 | NOTICE of Motion by Bradley S Manewith for presentment of Sealed motion 86 before Honorable Harry D. Leinenweber on 4/26/2011 at 09:30 AM. (Manewith, Bradley) (Entered: 04/19/2011) |




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| 04/20/2011 | 89 | MINUTE entry before Honorable Harry D. Leinenweber: Plaintiff's Motion to Strike set for 4/26/2011 will be heard at 10:45 AM.Mailed notice (wp,) (Entered: 04/20/2011) |
| 04/20/2011 | 90 | MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge to continue <i>hearing scheduled for 4/26/2011</i> (Hayes, David) (Entered: 04/20/2011) |
| 04/21/2011 | 91 | MEMORANDUM by Darren Cuff in Opposition to motion to continue 90 (Attachments: # 1 Exhibit A)(Manewith, Bradley) (Entered: 04/21/2011) |
| 04/26/2011 | 92 | ATTORNEY Appearance for Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge by Christine Marie Niemczyk (Niemczyk, Christine) (Entered: 04/26/2011) |
| 04/26/2011 | 93 | MINUTE entry before Honorable Harry D. Leinenweber:Defendants' Motion to File Brief in Excess of Page Limitation 72 is granted. Plaintiff's Motion to Strike Defendants' Motion for Summary Judgment 85 is denied. The parties are directed to address Plaintiff's Motion to Strike Gerald Wigmore's Affidavit 86 in their briefing on the cross motions for summary judgment. Defendants' Motion to Continue the Hearing Set for 4/26/2011 90 is denied as moot. The briefing schedule is modified to reflect that responses are due on 6/10/2011 and the Court will rule on 7/14/2011 at 9:00 a.m.Mailed notice (wp,) (Entered: 04/27/2011) |
| 05/02/2011 | 94 | MINUTE entry before Honorable Harry D. Leinenweber:The Court's minute entry dated 4/26/2011 93 is corrected to read as follows: Defendants' Motion to File Brief in Excess of Page Limitation 72 is granted. Plaintiff's Motion to Strike Defendants' Motion for Summary 85 is denied. The Parties are directed to address Plaintiff's Motion to Strike Gerald Wigmore's Affidavit 86 in their briefing on the cross motions for summary judgment. Defendants' Motion to Continue the Hearing Set for April 26, 2011 90 is denied as moot. The briefing schedule is modified to reflect that responses are due on June 3, 2011, replies are due June 10, 2011. The Court's oral ruling date is reset to July 14, 2011 at 9:00 a.m.Mailed notice (wp,) (Entered: 05/02/2011) |
| 05/03/2011 | 96 | MINUTE entry before Honorable Harry D. Leinenweber:Defendants Motion for leave to file amended answer and affirmative defenses by 5/17/2011 70 is granted. Mailed notice (wp,) (Entered: 05/10/2011) |
| 05/09/2011 | 95 | AMENDED Answer by Trans States Airlines, Ed Trowbridge to <i>Plaintiff's</i> complaint 1 (Hayes, David) (Entered: 05/09/2011) |
| 06/03/2011 | 97 | RESPONSE by GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridgein Opposition to MOTION by Plaintiff Darren Cuff for summary judgment 74 (Hayes, David) (Entered: 06/03/2011) |
| 06/03/2011 | 98 | MEMORANDUM by GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge in Opposition to motion for summary judgment 74 filed by Plaintiff Darren Cuff (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Hayes, David) (Entered: 06/03/2011) |
| 06/03/2011 | 99 | RESPONSE by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge to Rule 56 statement, 76 filed by Plaintiff Darren Cuff (Hayes, David) (Entered: 06/03/2011) |
| 06/03/2011 | 100 | SEALED DOCUMENT by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge (Hayes, David) (Entered: 06/03/2011) |
| 06/03/2011 | 101 | SEALED RESPONSE by Darren Cuff to MOTION by Defendants GoJet Airlines, |


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| | | Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge for summary judgment 79 (<i>Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment</i>) (Attachments: # 1 List of Exhibits, # 2 Exhibit 1 to 7, # 3 Exhibit 8 to 14)(Manewith, Bradley) (Entered: 06/03/2011) |
| 06/03/2011 | 102 | SEALED RESPONSE by Darren Cuff to sealed document, 80 , sealed document, 81 (<i>Objections and Responses to Defendants' Statement of Material Facts and Plaintiff's Local Rule 56.1(b)(3) Statement of Additional Undisputed Material Facts</i>) (Attachments: # 1 Index of Exhibits, # 2 Exhibit A-G, # 3 Exhibit H-J, # 4 Exhibit K-M, # 5 Exhibit N, # 6 Exhibit O, # 7 Exhibit P, # 8 Exhibit Q-DD, # 9 Exhibit EE-KK)(Manewith, Bradley) (Entered: 06/03/2011) |
| 06/06/2011 | 106 | NOTICE by Darren Cuff of filing of Exhibit "H" to Plaintiff's Objections and Responses to Defendant's Statement of Material Facts and Plaintiff's Local Rule 56.1(b)(3) Statement of Additional Undisputed Material facts (D.E. 102). (tlm) (Entered: 06/09/2011) |
| 06/06/2011 | 108 | EXHIBIT "H" by Plaintiff Darren Cuff to Plaintiff's Objections and Responses to Defendant's Statement of Material Facts and Plaintiff's Local Rule 56.1(b)(3) Statement of Additional Undisputed Material facts (D.E. 102) (Document Not Scanned, 1 CD). 106 (tlm) (Entered: 06/09/2011) |
| 06/07/2011 | 103 | MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge to strike sealed response, 101 , sealed response, 102 (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)(Hayes, David) (Entered: 06/07/2011) |
| 06/07/2011 | 104 | NOTICE of Motion by David J.A. Hayes, III for presentment of motion to strike, motion for relief,,, 103 before Honorable Harry D. Leinenweber on 6/9/2011 at 09:30 AM. (Hayes, David) (Entered: 06/07/2011) |
| 06/08/2011 | 105 | RESPONSE by Darren Cuffin Opposition to MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge to strike sealed response, 101 , sealed response, 102 MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge to strike sealed response, 101 , sealed response, 102 103 (Attachments: # 1 Exhibit A-D)(Manewith, Bradley) (Entered: 06/08/2011) |
| 06/09/2011 | 107 | MINUTE entry before Honorable Harry D. Leinenweber:Defendants Motion to strike or in the alternative for additional time to reply 103 is granted in part and denied in part. Defendants reply now due by 6/17/2011. The Court's oral ruling date of 7/14/2011 is reset to 7/21/2011 at 9:00 a.m.Mailed notice (wp,) (Entered: 06/09/2011) |
| 06/10/2011 | 109 | MINUTE entry before Honorable Harry D. Leinenweber:All replies now due by 6/20/2011.Mailed notice (wp,) (Entered: 06/10/2011) |
| 06/20/2011 | 110 | REPLY by Plaintiff Darren Cuff to motion for summary judgment 74 (Attachments: # 1 Exhibit Unreported Cases (Exhibits 1 to 3))(Manewith, Bradley) (Entered: 06/20/2011) |
| 06/20/2011 | 111 | RESPONSE by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge to <i>Plaintiff's Additional Undisputed Material Facts</i> (Hayes, David) (Entered: 06/20/2011) |
| 06/20/2011 | 112 | REPLY by GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge to MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge for summary judgment 79 <i>Defendants' Memorandum in Reply to Plaintiff's Response in Opposition to Defendants' Motion for</i> |

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| | | <i>Summary Judgment</i> (Hayes, David) (Entered: 06/20/2011) |
| 06/27/2011 | 113 | MINUTE entry before Honorable Harry D. Leinenweber:It is hereby ordered that the ruling date of 7/21/2011 is stricken. The Court will rule by mail.Mailed notice (wp,) (Entered: 06/27/2011) |
| 10/06/2011 | 114 | MINUTE entry before Honorable Harry D. Leinenweber:ENTER MEMORANDUM OPINION AND ORDER: Plaintiff's Motion to Strike Gerald Wigmore's Affidavit and Other Material 86 is Denied. Plaintiff's Motion for Summary Judgment on Count I of his Complaint 74 is Granted. Defendants' Motion for Summary Judgment 75 is Denied. Status hearing set for 11/8/2011 at 9:00 a.m.Mailed notice (wp,) (Entered: 10/06/2011) |
| 10/06/2011 | 115 | MEMORANDUM Opinion and Order Signed by the Honorable Harry D. Leinenweber on 10/6/2011:Mailed notice(wp,) (Entered: 10/06/2011) |
| 11/01/2011 | 116 | ATTORNEY Appearance for Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge by Leslie Ellen Cavender (Cavender, Leslie) (Entered: 11/01/2011) |
| 11/08/2011 | 117 | MINUTE entry before Honorable Harry D. Leinenweber:Status hearing held on 11/8/2011. Jury Trial set for 1/30/2012 at 10:00 AM. Pretrial order to be filed by 1/23/2012. Cause to be referred to Magistrate Judge Cole for settlement conference.Mailed notice (wp,) (Entered: 11/08/2011) |
| 11/08/2011 | 118 | Pursuant to Local Rule 72.1, this case is hereby referred to the calendar of Honorable Jeffrey Cole for the purpose of holding proceedings related to: settlement conference..(wp,)Mailed notice. (Entered: 11/08/2011) |
| 12/01/2011 | 119 | MINUTE entry before Honorable Jeffrey Cole: Settlement Conference set for 12/21/2011 at 1:30 p.m. All parties are directed to refer to and must review my "Instructions and Procedures for Settlement Conferences," available at "www.ilnd.uscourts.gov" and to comply with its directives before appearing at the settlement conference. Parties with FULL AUTHORITY to settle must be personally present at the conference. Participation by telephone will not be permitted as explained in my Instructions and Procedures for Settlement Conferences. Failure to comply with this requirement may result in a substantial monetary sanction and may necessitate the cancellation and resetting of the conference with the attendant additional costs associated with the rescheduled conference not only those of the non-compliant party, but also those incurred by the compliant party. As provided in the instructions, plaintiff's counsel shall deliver copies of the required settlement letters to chambers from both plaintiff and defendants by no later than (4) calendar days before the conference. All settlement documents must have protruding tabs separating exhibits or attachments, pursuant to Local Rule 5.2(e). Non-compliance with the 4-day Rule makes it difficult and often impossible for the conference to proceed effectively. Failure to comply with the 4-day Rule may necessitate cancellation of the conference. Parties cannot unilaterally agree to cancel a scheduled settlement conference. Permission not to proceed must be obtained from the court pursuant to written motion, and any party wishing to vary any of the procedures set forth in the standing order must make an appropriate request by written motion prior to the exchange of settlement letters described above. Mailed notice (gmr,) (Entered: 12/01/2011) |
| 12/21/2011 | 122 | MINUTE entry before Honorable Jeffrey Cole: Settlement conference held. The case is not settleable. Accordingly, all matters relating to the referral of this action having been resolved, the case is returned to the assigned judge. Case no longer referred to Honorable Jeffrey Cole. Mailed notice (gmr,) (Entered: 01/11/2012) |
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| 01/05/2012 | 120 | MOTION by Plaintiff Darren Cuff Unopposed Motion to Reschedule Trial (Caffarelli, Alejandro) (Entered: 01/05/2012) |
| 01/05/2012 | 121 | NOTICE of Motion by Alejandro Caffarelli for presentment of motion for miscellaneous relief 120 before Honorable Harry D. Leinenweber on 1/10/2012 at 09:30 AM. (Caffarelli, Alejandro) (Entered: 01/05/2012) |
| 01/10/2012 | 123 | MINUTE entry before Honorable Harry D. Leinenweber:Plaintiff's Unopposed Motion to Reschedule Trial 120 is granted. Trial date reset for 2/27/2012 at 10:00 a.m. Pretrial Order and Motions in Limine now due by 2/13/2012. Mailed notice (wp,) (Entered: 01/20/2012) |
| 02/13/2012 | 124 | PROPOSED Pretrial Order (Caffarelli, Alejandro) (Entered: 02/13/2012) |
| 02/13/2012 | 125 | STIPULATION of Dismissal of <i>Count II FMLA Retaliation Claim Only Pursuant to FRCP 41(a)(1)(A)(ii)</i> (Caffarelli, Alejandro) (Entered: 02/13/2012) |
| 02/13/2012 | 126 | MOTION by Plaintiff Darren Cuffin limine <i>regarding attorney contact (first motion in limine)</i> (Attachments: # 1 Exhibit)(Caffarelli, Alejandro) (Entered: 02/13/2012) |
| 02/13/2012 | 127 | MOTION by Plaintiff Darren Cuffin limine <i>regarding medical records (second motion in limine)</i> (Attachments: # 1 Exhibit)(Caffarelli, Alejandro) (Entered: 02/13/2012) |
| 02/13/2012 | 128 | MOTION by Plaintiff Darren Cuffin limine <i>regarding prescription drug use (third motion in limine)</i> (Attachments: # 1 Exhibit)(Caffarelli, Alejandro) (Entered: 02/13/2012) |
| 02/13/2012 | 129 | MOTION by Plaintiff Darren Cuffin limine <i>regarding arrest (fourth motion in limine)</i> (Caffarelli, Alejandro) (Entered: 02/13/2012) |
| 02/13/2012 | 130 | MOTION by Plaintiff Darren Cuffin limine <i>to bar witness Giacchetti (fifth motion in limine)</i> (Attachments: # 1 Exhibit)(Caffarelli, Alejandro) (Entered: 02/13/2012) |
| 02/13/2012 | 131 | MOTION by Plaintiff Darren Cuffin limine <i>to bar witness Gabriel (sixth motion in limine)</i> (Attachments: # 1 Exhibit)(Caffarelli, Alejandro) (Entered: 02/13/2012) |
| 02/16/2012 | 132 | MOTION by Plaintiff Darren Cuff for leave to file <i>his seventh motion in limine to bar evidence or argument that he was not terminated, or that he should have made additional efforts to return to work instanter</i> (Attachments: # 1 Exhibit Plaintiff's Seventh Motion in Limine with Exhibits)(Caffarelli, Alejandro) (Entered: 02/16/2012) |
| 02/16/2012 | 133 | NOTICE of Motion by Alejandro Caffarelli for presentment of motion for leave to file, 132 before Honorable Harry D. Leinenweber on 2/21/2012 at 09:30 AM. (Caffarelli, Alejandro) (Entered: 02/16/2012) |
| 02/21/2012 | 134 | MINUTE entry before Honorable Harry D. Leinenweber: Hearing date on Plaintiff's Motion for leave to file his Seventh Motion in Limine is reset for 2/22/2012 at 09:30 AM.Mailed notice (wp,) (srb,). (Entered: 02/21/2012) |
| 02/21/2012 | 135 | MINUTE entry before Honorable Harry D. Leinenweber:Plaintiff's Motion for leave to file his Seventh Motion in Limine 132 is grantedMailed notice (wp,) (Entered: 02/21/2012) |
| 02/22/2012 | 136 | MOTION by Plaintiff Darren Cuffin limine <i>to bar evidence or argument that Plaintiff was not terminated, or that he should have made additional efforts to return to work</i> (Attachments: # 1 Exhibit 1-7)(Caffarelli, Alejandro) (Entered: 02/22/2012) |
| 02/27/2012 | 137 | MINUTE entry before Honorable Harry D. Leinenweber:Trial begins-jury. Jury trial held and continued to 2/28/2012 at 10:00 AM. Mailed notice (wp,) (Entered: 02/27/2012) |

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| 02/28/2012 | 138 | MINUTE entry before Honorable Harry D. Leinenweber:The Jury returns its verdict in favor of the Plaintiff, Darren Cuff and against the defendants' in the amount of \$28,800.00. Judgment is hereby entered in favor of the plaintiff, Darren Cuff and against the defendants' in the amount of \$28,800.00. Trial ends-jury. Civil case terminated. Mailed notice (wp,) (Entered: 03/01/2012) |
| 02/28/2012 | 139 | ENTERED JUDGMENT on 2/28/2012:Mailed notice(wp,) (Entered: 03/01/2012) |
| 02/28/2012 | 140 | JURY Instructions given. (tlm) (Entered: 03/06/2012) |
| 02/28/2012 | 141 | JURY Verdict entered in favor of the Plaintiff, Darren Cuff and against the defendants' in the amount of \$28,800.00. (Mailed Notice) (RESTRICTED) (tlm) (Entered: 03/06/2012) |
| 03/13/2012 | 142 | BILL of Costs (Attachments: # 1 Schedules to Bill of Costs, # 2 Exhibit Invoices to Bill of Costs)(Caffarelli, Alejandro) (Entered: 03/13/2012) |
| 03/27/2012 | 143 | MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge for new trial (Cavender, Leslie) (Entered: 03/27/2012) |
| 03/27/2012 | 144 | Memorandum in Support of Defendants' Motion for New Trial by GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge (Cavender, Leslie) (Entered: 03/27/2012) |
| 03/27/2012 | 145 | NOTICE of Motion by Leslie Ellen Cavender for presentment of motion for new trial 143 before Honorable Harry D. Leinenweber on 4/17/2012 at 09:30 AM. (Cavender, Leslie) (Entered: 03/27/2012) |
| 03/27/2012 | 146 | MOTION by Plaintiff Darren Cuff to award pre-judgment interest, liquidated damages, and equitable damages (Attachments: # 1 Exhibit A-H)(Caffarelli, Alejandro) (Entered: 03/27/2012) |
| 03/27/2012 | 147 | MOTION by Plaintiff Darren Cuff for judgment <i>as a matter of law on issues pertaining to the award of full back pay damages (renewed motion)</i> (Attachments: # 1 Exhibit A)(Caffarelli, Alejandro) (Entered: 03/27/2012) |
| 03/27/2012 | 148 | NOTICE of Motion by Alejandro Caffarelli for presentment of motion for miscellaneous relief 146 before Honorable Harry D. Leinenweber on 4/17/2012 at 09:30 AM. (Caffarelli, Alejandro) (Entered: 03/27/2012) |
| 03/27/2012 | 149 | NOTICE of Motion by Alejandro Caffarelli for presentment of motion for judgment 147 before Honorable Harry D. Leinenweber on 4/17/2012 at 09:30 AM. (Caffarelli, Alejandro) (Entered: 03/27/2012) |
| 03/30/2012 |  150 | <p>TRANSCRIPT OF PROCEEDINGS held on 02/27/12 before the Honorable Harry D. Leinenweber. VOL. 1A. Court Reporter Contact Information: Gayle A. McGuigan, (312) 435-6047, Gayle_McGuigan@ilnd.uscourts.gov.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 4/20/2012. Redacted Transcript Deadline set for 4/30/2012. Release of Transcript Restriction set for 6/28/2012. (McGuigan, Gale) (Entered: 03/30/2012)</p> |

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| 03/30/2012 |  151 | <p>TRANSCRIPT OF PROCEEDINGS held on 02/27/12 before the Honorable Harry D. Leinenweber. VOL.1B. Court Reporter Contact Information: Gayle A. McGuigan, (312) 435-6047, Gayle_McGuigan@ilnd.uscourts.gov.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 4/20/2012. Redacted Transcript Deadline set for 4/30/2012. Release of Transcript Restriction set for 6/28/2012. (McGuigan, Gale) (Entered: 03/30/2012)</p> |
| 03/30/2012 |  152 | <p>TRANSCRIPT OF PROCEEDINGS held on 02/28/12 before the Honorable Harry D. Leinenweber. VOL. 2A. Court Reporter Contact Information: Gayle A. McGuigan, (312) 435-6047, Gayle_McGuigan@ilnd.uscourts.gov.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 4/20/2012. Redacted Transcript Deadline set for 4/30/2012. Release of Transcript Restriction set for 6/28/2012. (McGuigan, Gale) (Entered: 03/30/2012)</p> |
| 03/30/2012 |  153 | <p>TRANSCRIPT OF PROCEEDINGS held on 02/28/12 before the Honorable Harry D. Leinenweber. VOL. 2B. Court Reporter Contact Information: Gayle A. McGuigan, (312) 435-6047, Gayle_McGuigan@ilnd.uscourts.gov.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 4/20/2012. Redacted Transcript Deadline set for 4/30/2012. Release of Transcript Restriction set for 6/28/2012. (McGuigan, Gale) (Entered: 03/30/2012)</p> |
| 04/17/2012 | 154 | <p>MINUTE entry before Honorable Harry D. Leinenweber:Responses to Plaintiff's Motion to Award Pre-Judgment Interest, Liquidated Damages, and Equitable Damages; Plaintiff's Renewed Motion for Judgment as a Matter of Law on Issues pertaining to the award of full back pay damages and defendants' motion for new trial to be filed by 5/1/2012. The Court will rule by mail.Mailed notice (wp,) (Entered: 04/24/2012)</p> |
| 05/01/2012 | 155 | <p>RESPONSE by Darren Cuffin Opposition to MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge for new trial 143 (Attachments: # 1 Exhibit A)(Caffarelli, Alejandro) (Entered: 05/01/2012)</p> |
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| 05/01/2012 |  156 | RESPONSE by GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge in Opposition to MOTION by Plaintiff Darren Cuff for judgment <i>as a matter of law on issues pertaining to the award of full back pay damages (renewed motion)</i> 147 (Attachments: # 1 Exhibit 1 to Response to Renewed Motion for JMOL (Restricted))(Cavender, Leslie) Clerk's Office Modified Text on 5/2/2012 (tlm). (Entered: 05/01/2012) |
| 05/01/2012 | 157 | RESPONSE by GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge in Opposition to MOTION by Plaintiff Darren Cuff to award pre-judgment interest, liquidated damages, and equitable damages 146 (Attachments: # 1 Exhibit 1 to Opposition to Motion for Pre-Judgment Interest, Liquidated Damages & Equitable Damages)(Cavender, Leslie) (Entered: 05/01/2012) |
| 05/25/2012 | 158 | MOTION by Plaintiff Darren Cuff for attorneys' fees and related non-taxable expenses (Caffarelli, Alejandro) (Entered: 05/25/2012) |
| 05/25/2012 | 159 | MEMORANDUM by Darren Cuff in support of motion for miscellaneous relief 158 (Attachments: # 1 Exhibit A-E, # 2 Exhibit F-K)(Caffarelli, Alejandro) (Entered: 05/25/2012) |
| 05/25/2012 | 160 | NOTICE of Motion by Alejandro Caffarelli for presentment of motion for miscellaneous relief 158 before Honorable Harry D. Leinenweber on 5/31/2012 at 09:30 AM. (Caffarelli, Alejandro) (Entered: 05/25/2012) |
| 05/31/2012 | 161 | MINUTE entry before Honorable Harry D. Leinenweber: Defendants response to plaintiff's Motion for Attorneys' Fees and Related Non-Taxable Expenses to be filed by 6/28/2012. Plaintiff's reply brief to be filed by 7/12/2012. The Court will rule by mail. Mailed notice (wp,) (Entered: 05/31/2012) |
| 05/31/2012 | 162 | MINUTE entry before Honorable Harry D. Leinenweber: Before the Court is Defendants' motion for a new trial and Plaintiff's motions for judgment as a matter of law ("JMOL") regarding back pay, for award of a bill of costs, and for pre-judgment interest, liquidated damages and equitable damage. For the following reasons, the Defendants' motion for a new trial and Plaintiff's motion for JMOL are denied. Plaintiff's motions for costs and for interest, liquidated damages and equitable damages are granted in part and denied in part. Mailed notice (wp,) (Entered: 05/31/2012) |
| 06/01/2012 | 163 | MINUTE entry before Honorable Harry D. Leinenweber: In ruling on Plaintiff's motion for costs, this Court denied \$1,490.16 in legal research fees, but indicated Plaintiff could resubmit those expenses in his attorney's fees petition. Prior to entry of that order, Plaintiff submitted his motion for attorney's fees. Rather than have plaintiff revise his attorney's fees petition, this court will automatically consider that request for legal research fees as part of plaintiff's attorney's fees petition. If Defendants oppose the petition for legal research fees, they should address that in their response brief. Mailed notice (wp,) (Entered: 06/01/2012) |
| 06/25/2012 | 164 | MOTION by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge to stay <i>Time for Appeal</i> (Cavender, Leslie) (Entered: 06/25/2012) |
| 06/25/2012 | 165 | NOTICE of Motion by Leslie Ellen Cavender for presentment of motion to stay 164 before Honorable Harry D. Leinenweber on 6/28/2012 at 09:30 AM. (Cavender, Leslie) (Entered: 06/25/2012) |
| 06/28/2012 | 166 | MINUTE entry before Honorable Harry D. Leinenweber: Without objection, Defendants Motion that the period for appeal be stayed pending a ruling on Plaintiff's Motion for Attorneys' Fees and Non-Taxable Costs 164 is granted. Mailed notice (wp,) (Entered: 06/28/2012) |

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| 06/28/2012 | 167 | MEMORANDUM by GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge in Opposition to motion for miscellaneous relief 158 (Cavender, Leslie) (Entered: 06/28/2012) |
| 07/12/2012 | 168 | REPLY by Plaintiff Darren Cuff to motion for miscellaneous relief 158 , memorandum in opposition to motion 167 (Attachments: # 1 Exhibit A-I)(Caffarelli, Alejandro) (Entered: 07/12/2012) |
| 09/24/2012 | 169 | MINUTE entry before Honorable Harry D. Leinenweber:Before the Court is Plaintiff's motion for attorney's fees. For the following reasons, the motion is granted in part, denied in part and continued in part.Mailed notice (wp,) (Entered: 09/24/2012) |
| 10/26/2012 | 170 | MINUTE entry before Honorable Harry D. Leinenweber:ENTER MEMORANDUM OPINION AND ORDER: The issues of costs and fees having been resolved, the stay of time to appeal is lifted and final judgment is entered. Plaintiff is awarded a total of \$49,546.79. Mailed notice (wp,) (Entered: 10/26/2012) |
| 10/26/2012 | 171 | MEMORANDUM Opinion and Order Signed by the Honorable Harry D. Leinenweber on 10/26/2012:Mailed notice(wp,) (Entered: 10/26/2012) |
| 10/26/2012 | 172 | MINUTE entry before Honorable Harry D. Leinenweber:On the Court's own motion, plaintiff shall file its unredacted entries along with a copy of defendants objections and plaintiff response to defendants objections by 10/29/2012.Mailed notice (wp,) (Entered: 10/26/2012) |
| 10/26/2012 | 173 | Plaintiffs Response to Defendants Objections to Plaintiffs Unredacted Billing Itemizations with Attached Objections and Unredacted Itemizations by Darren Cuff (Attachments: # 1 Exhibit A-C, # 2 Unreported case)(Caffarelli, Alejandro) (Entered: 10/26/2012) |
| 10/29/2012 | 174 | MINUTE entry before Honorable Harry D. Leinenweber:ORDER VACATING 10/26/12 ORDERS: Upon the Court's own motion, the orders of 10/26/12 170 171 are vacated. The stay of time to appeal is still in place. Plaintiff has filed his revised itemizations for attorney's fees. Defendants may respond to revised itemizations for attorney's fees by 11/9/2012. The Court will rule by mail.Mailed notice (wp,) (Entered: 10/29/2012) |
| 11/09/2012 | 175 | REPLY by Defendants GoJet Airlines, Trans States Airlines, Trans States Holdings, Inc., Ed Trowbridge to other, 173 (Attachments: # 1 Exhibit A)(Cavender, Leslie) (Entered: 11/09/2012) |
| 01/11/2013 | 176 | MINUTE entry before Honorable Harry D. Leinenweber:ENTER MEMORANDUM OPINION AND ORDER: Defendants Motion to Reconsider is denied. Plaintiffs Motion for Attorneys fees is granted in part and denied in part. The Court allows the sum of \$324,170.68 in attorneys fees. This award is in addition to the damages and costs totaling \$49,546.79 that were awarded in the Courts May 31, 2012 order, for a total award of \$373,717.47. Because the time for appeal has been stayed pending this ruling pursuant to Federal Rule of Civil Procedure 58(e), the resolution of this matter lifts that stay. The parties now have thirty (30) days to file a notice of appeal of final judgment.Mailed notice (wp,) (Entered: 01/11/2013) |
| 01/11/2013 | 177 | MEMORANDUM Opinion and Order Signed by the Honorable Harry D. Leinenweber on 1/11/2013:Mailed notice(wp,) (Entered: 01/11/2013) |
| 01/29/2013 | 178 | CITATION to Discover Assets issued as to U.S. Bank. (Attachments: # 1 Notice of Citation, # 2 Citation)(ea,) (Entered: 01/30/2013) |
| 02/04/2013 | 179 | NOTICE of appeal by GoJet Airlines, Trans States Airlines, Trans States Holdings, |

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| | | Inc., Ed Trowbridge regarding orders 176 , 177 , 170 Filing fee \$ 455, receipt number 0752-8006928. (Cavender, Leslie) (Entered: 02/04/2013) |
| 02/04/2013 | 180 | NOTICE of Appeal Due letter sent to counsel of record. (dj) (Entered: 02/04/2013) |